

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BOILERMAKERS NATIONAL ANNUITY  
TRUST FUND, on behalf of itself and all  
others similarly situated,

Plaintiff,

v.

WAMU MORTGAGE PASS THROUGH  
CERTIFICATES, SERIES 2006-AR1, et al.,

Defendants.

Master Cause NO. 2:09-cv-00037-MJP

**PLAINTIFFS' MOTION FOR LEAVE  
TO AMEND COMPLAINT**

**Noted on Motion Calendar:  
June 4, 2010**

**ORAL ARGUMENT REQUESTED**

DORAL BANK PUERTO RICO, on behalf of  
itself and all others similarly situated,

Plaintiffs,

v.

WASHINGTON MUTUAL ASSET  
ACCEPTANCE CORPORATION, et al.,

Defendants.

NO. 2:09-cv-01557-MJP

PLAINTIFFS' MOTION FOR LEAVE TO AMEND  
COMPLAINT  
(NO. 2:09-cv-00037-MJP)

1           Lead Plaintiffs Doral Bank Puerto Rico and Policemen's Annuity and Benefit Fund of  
2 the City of Chicago and Plaintiff Boilermakers National Annuity Trust (collectively,  
3 "Plaintiffs") respectfully move for leave to amend the Second Amended Consolidated Class  
4 Action Complaint (the "Complaint") to correct an error in the Complaint. The Complaint  
5 inadvertently named the wrong entity as the entity controlled by Defendants Moody's  
6 Investors Services, Inc. and McGraw-Hill Companies, Inc. (the "Rating Agencies"). The  
7 reasons for the proposed amendment are set forth in detail in the accompanying Opposition to  
8 the Rating Agencies' Joint Motion to Dismiss the Second Amended Consolidated Class Action  
9 Complaint, which is being filed along with this Motion and which is also attached as Exhibit A  
10 to this Motion.<sup>1</sup>

11           Plaintiffs' proposed amended complaint is attached as Exhibit B to this Motion. For  
12 the convenience of the Court and Defendants, a redlined version of the Complaint, showing  
13 the limited differences between the proposed amended complaint and the Complaint, is  
14 attached as Exhibit C to this Motion.

15 Dated: May 18, 2010

Respectfully submitted,

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23 <sup>1</sup> In addition to modifying the entity controlled by the Rating Agencies, the proposed  
24 amended complaint modifies two other errors. An additional entry is inserted into the charts  
25 of certificates in paragraphs 21 and 22 so that the charts now include series 2007-HY7 of the  
26 WaMu pass through certificates. Certificate 2007-HY7 is mentioned elsewhere in the  
27 Complaint, *see, e.g.*, chart at ¶ 39, and was included in a similar chart in the complaint filed on  
November 23, 2009, but was inadvertently omitted from the charts in paragraphs 21 and 22.  
*See Consolidated Class Action Complaint* ¶ 25, Dkt. No. 103 (Nov. 23, 2009). Also, an  
erroneous reference to state securities laws in paragraph 177 is deleted.

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16 *Class*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 18, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send electronic notification of such filing to all counsel of record and additional persons listed below.

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